

in the District Court of the Fourth Judicial District of the State  
of Utah in and for Utah County.

Provo Reservoir Company,  
a corporation,

Plaintiff,

v.  
the

City of Provo,  
Defendant.

Case No. 2608 Civil.

Motion to modify proposed

Findings and Judgment.

The Plaintiff,

Curtis Howes, Esq., attorney of record of defendant  
in the above entitled cause, owner of the right to the use of waters  
of Provo River, in Spanish Fork and the Counties, State of Utah, and  
within the First District of the Spanish Fork Division of said river as  
defined in the proposed Findings and Judgment herein, and,

John W. Collette, one of the attorneys of record of the Plaintiff  
in the above entitled cause, and,

Now to the honorable Court to modify the proposed Findings  
and Judgment in the following:

I.

That the proposed findings be modified by substituting  
therein for pages 63, 64, 65, 66, and 67, the matter attached hereto  
and known as Exhibit "A" and page numbered 63, 64, 65, 66 and 67.

II.

That the proposed decree be modified by amending to  
correspond to the matter attached hereto and known as Exhibit "B".

III.

This motion is based upon the files and records herein, and  
properly comes before the Court on the order dated January 16th, 1923,  
and for the reason that the corrections shown in exhibit "A" attached  
hereto conform to matters contained in a stipulation referred to throughout  
the case as the "Heber Stipulation" and for the further reason that  
there was no contest or opposition, whatever, to the matters so shown  
in exhibit "A" attached hereto.